

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANGELICA PARKER,

*Plaintiff,*

-- against --

SCOTT BURSOR and  
BURSOR & FISHER, P.A.,

*Defendants.*

Case No. 24-cv-245 (JGLC) (RFT)

**DEFENDANTS' NOTICE OF MOTION  
TO DISMISS THE COMPLAINT AS A  
SANCTION FOR PLAINTIFF'S  
SERIOUS AND PERSISTENT ABUSE  
OF THE JUDICIAL PROCESS AND  
NUMEROUS VIOLATIONS OF THIS  
COURT'S ORDERS AND IMPOSING  
MONETARY SANCTIONS AGAINST  
PLAINTIFF'S COUNSEL, WIGDOR  
LLP**

*Filed Electronically*

**TO:** All Counsel of Record

**PLEASE TAKE NOTICE** that Defendants Scott Bursor and Bursor & Fisher, P.A., by and through their undersigned counsel, Gibbons P.C. and Judd Burstein, P.C., will move this Court before the Honorable Robyn F. Tarnofsky, United States Magistrate Judge for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007, on February 19, 2025, for the entry of an order (1) dismissing the Complaint (ECF No. 53.1) with prejudice as a terminating sanction issued pursuant to the Court's inherent authority and Rule 37 of the Federal Rules of Civil Procedure; (2) sanctioning Plaintiff's counsel, Wigdor LLP, under Rules 26 and 37 of the Federal Rules of Civil Procedure by ordering Wigdor LLP to reimburse Defendants' expenses and fees incurred as a result of the failure by Plaintiff and her counsel to disclose responsive information to Defendants' discovery requests and timely produce documents from all relevant sources, including Defendants' attorneys' fees and expenses incurred in the prosecution of this motion; and (3) granting Defendants such other, further and

different relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, Defendants shall rely upon Defendants' Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint as a Sanction for Plaintiff's Serious and Persistent Abuse of the Judicial Process and Numerous Violations of This Court's Orders; the Declaration of Christine A. Amalfe, Esq., with exhibits; the Declaration of ML; the Declaration of Lauren Mack, with exhibits; and the Declaration of Veronica Perez, with exhibits, all filed herewith. Defendants shall further rely on the expert report of Paul Neale, to be submitted on or before January 13, 2025 (*see* ECF No. 234) and evidence admitted during the evidentiary hearing to be conducted on this motion on February 19, 2025.

**PLEASE TAKE FURTHER NOTICE** that a proposed Order is submitted herewith.

**PLEASE TAKE FURTHER NOTICE** that oral argument is respectfully requested.

**PLEASE TAKE FURTHER NOTICE** that Plaintiff's opposition papers, if any, and Defendants' reply papers, if any, shall be due on or before the dates set forth in the Court's November 22, 2024 Order (ECF No. 224).

Dated: January 6, 2025

Respectfully submitted,

By: /s/ Christine A. Amalfe  
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– *and* –

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